

REMARKS

Claim 1 has been amended to correct antecedent basis.

Claims 2 and 7 are amended to clarify and simplify the language.

Claims 13 – 16 have been newly added. New claims 13 – 16 include the limitations of independent claim 1. Support for the new claims can be found at least on page 14 lines 10 through 15 of the specification as filed. Thus, no new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of claims 1 - 6 under 35 U.S.C. § 102(b) as being anticipated by US 5,926,103 (Petite)

Applicant respectfully traverses in part and amends in part. Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1 – 6 under 35 U.S.C. § 102(b) as being anticipated by Petite.

Applicant respectfully submits that Petite does not anticipate, either expressly or inherently, each and every element as set forth in independent claim 1. Specifically, independent claim recites “coordinating collection of data by the wireless communication device with the at least one remote device by associating the collected data with the incident” which is not anticipated either expressly or inherently, in Petite.

Applicant would like to recall the arguments that were presented in the response filed on April 18th, 2007. Applicant argued that Hanninen does not describe or suggest coordinating collection of data of multiple devices, as required by claim 1. In fact, Hanninen does not even recognize the need for coordinating data collection among multiple devices.

Likewise, Petite does not describe or suggest any type of coordination of data collection between devices. Therefore, claim 1 distinguishes patentably from Hanninen, Petite, and the suggested combination of these references.

Moreover, Petite is directed to a personalized security system in which a portable transmitter may be carried or worn by an individual and the portable transmitter is activated by the individual when in need of assistance. Petite’s Abstract. Petite describes that the portable transmitter transmits the signal containing two or more data elements. Petite relates these data elements to be specific to the user. Petite describes that the data elements may be user's ID code, name address, description, medical condition, vehicle

tag number, nearest friend, or relative number and more. Petite, Col. 4, lines 2 - 4, 32- 40, and 49 - 50, col. 8 lines 6 – 10. Therefore, Petite's data elements contain information pertaining to the user and not to the incident.

Applicant's independent claim also recites "scanning for at least one remote device" which is not anticipated either expressly or inherently, in Petite.

Petite under Col. 2, lines 15 - 25 describes that a personal transmitter transmits a FSK modulation signal to a transceiver. The transceiver decodes the data and adds the data related to the location of the transceiver. Petite's transceiver then transmits the received signal to a remote device. Further, Petite also describes that the location of the transceiver is anywhere in the area proximate to where the individual activates the personal transmitter. The remote device receives the data and uses a database to obtain further data relating to the user and to obtain information on the emergency personnel closest to the location of the individual. However, the personal transmitter does not scan for any of the remote device. Petite does not describe the scanning function. On col. 6, lines 41 – 43 Petite describes that the transceiver is located in close proximity to the place where the user activates the portable transmitter device.

Further, Applicant respectfully submits that Petite does not anticipate, either expressly or inherently, each and every element as set forth in dependent claim 2, as amended. Dependent claim 2 requires the further limitation of "coordinating collection of data with the at least one remote device includes informing the at least one remote device about a location of the incident event."

Petite on col. 7, lines 42 - 52 describes that a location identifier data element for the transceiver may be used to obtain information from the database on the address where the transceiver is located. This information is sent to the remote receiver which may then use the modem to notify the emergency personnel closest to the transceiver about the user in need of the assistance. As such, it is the transceiver in Petite which identifies its

location using a database. However, our claims require the wireless communication device, to determine the location of incident device. Therefore, limitation of claim 2 is not taught by Petite.

Also, Applicant respectfully submits that Petite does not anticipate, either expressly or inherently, each and every element as set forth in dependent claim 3, as amended. Dependent claim 3 requires the further limitation of “receiving authorization to utilize data obtained by the at least one remote device.”

Petite describes that a check sum operation is performed by the CPU to ensure proper data transmission. Once the data is received the user authentication codes are authenticated and validated. If the user authentication codes are not authenticated the data is discarded. Petite, Col. 5 lines 42 – 56. This operation is carried out to check the authenticity of the data transmitted and not authorizing the wireless communication device to use the data obtained from the remote device. Therefore, limitation of claim 3 is not taught by Petite.

In view of the foregoing, Applicant respectfully submits that Petite does not disclose the claimed limitations of claim 1, 2, and 3. Applicant therefore submits that claims 1, 2, and 3 are not anticipated by Petite, and therefore the rejection of claims 1, 2, and 3 under 35 USC 102(b) should be withdrawn. Applicant request that claims 1, 2, and 3 may now be passed to allowance.

Dependent claims 4 - 6 depend from, and include all the limitations of independent claim 1. Therefore, Applicant respectfully requests reconsideration of dependent claims 4 - 6 and requests the withdrawal of the rejection.

Rejection of Claims 7 - 12 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,926,103 (Petite) in view of US 7,058,409 B2 (Hanninen)

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 7 - 12 under 35 U.S.C. § 103(a) as being unpatentable over Petite in view of Hanninen as herein amended.

Applicant respectfully submits that the combination of Petite and Hanninen does not teach or suggest all the claim limitations as set forth in independent claim 7, as amended. Specifically, independent claim 7 requires “receiving information from the remote mobile device about a location of the incident event” which are not taught or suggested in the combination of Petite and Hanninen. Since the combination of Petite and Hanninen fails to disclose Applicant’s claimed invention as claimed in independent claim 7, Applicant respectfully requests withdrawal of the rejection of independent claim 7 under 35 USC 103(a). Applicant requests that independent claim 7 now be passed to allowance.

Dependent claims 8 - 12 depend from, and include all the limitations of independent claim 7. Therefore, Applicant respectfully requests the reconsideration of dependent claim 8 - 12 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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